



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Resolution in Opposition to Unfunded Federal Mandates

**MEETING DATE:** October 19, 1994

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Adopt Resolution No. 94-125 (attached) opposing unfunded mandates.

**BACKGROUND INFORMATION:** This item appears on the agenda at the Mayor's request. The City of Lodi received information from the National League of Cities requesting that the City participate in "National Unfunded Mandates Week", October 24 - 30, 1994. As part of the event, we are being asked to adopt a resolution in opposition to costly unfunded mandates and to urge our Congress representatives to do the same.

**FUNDING:** None required.

  
Jennifer M. Ferrin  
City Clerk

JMP

Attachment

APPROVED \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



recycled paper

RESOLUTION NO. 94-125

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A RESOLUTION OF THE LODI CITY COUNCIL  
IN OPPOSITION TO UNFUNDED MANDATES

=====

WHEREAS, unfunded federal mandates on state and local governments have increased significantly in recent years; and

WHEREAS, federal mandates require cities and towns to perform duties without consideration of local circumstances, costs, or capacity, and subject municipalities to civil or criminal penalties for noncompliance; and

WHEREAS, federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare, and safety of municipal citizens; and

WHEREAS, excessive federal burdens on local governments force some combination of higher local taxes and fees and/or reduced local services on citizens and local taxpayers; and

WHEREAS, federal mandates are too often inflexible, one-size-fits-all requirements that impose unrealistic time frames and specify procedures or facilities where less costly alternatives might be just as effective; and

WHEREAS, existing mandates impose harsh pressures on local budgets and the federal government has imposed a freeze upon funding to help compensate for any new mandates; and

WHEREAS, the cumulative impact of these legislative and regulatory actions directly affect the citizens of our cities and towns; and

WHEREAS, the National League of Cities, following up on last year's successful effort, is continuing its national public education campaign to help citizens understand and then reduce the burden and inflexibility of unfunded mandates, including a National Unfunded Mandates Week, October 24-30, 1994;

NOW, THEREFORE, BE IT RESOLVED that the City of Lodi endorses the efforts of the National League of Cities and supports working with NLC to fully inform our citizens about the impact of federal mandates on our government and the pocketbooks of our citizens;

BE IT FURTHER RESOLVED that the City of Lodi endorses organizing and participating in events during the week of October 24-30, 1994; and finally

BE IT FURTHER RESOLVED that the City of Lodi resolves to continue our efforts to work with members of our Congressional delegation to

educate them about the impact of federal mandates and actions necessary to reduce their burden on our citizens.

Dated: October 19, 1994

=====

I hereby certify that Resolution No. 94-125 was passed and adopted by the Lodi City Council in a regular meeting held October 19, 1994 by the following vote:

Ayes: Council Members - Mann, Pennino, Snider and  
Sieglock (Mayor)

Noes: Council Members - None

Absent: Council Members - Davenport

  
Jennifer M. Perrin  
City Clerk



**National  
League  
of  
Cities**

1301 Pennsylvania Avenue N.W.  
Washington, D.C. 20004  
(202) 626-3000  
Fax: (202) 626-3043

**Officers**

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*Immediate Past President*  
Glenda E. Hood  
Mayor, Orlando, Florida

*Executive Director*  
Donald J. Borut

September 19, 1994

Dear Local Leader:

I am writing to enlist your community's support and active participation in this year's NATIONAL UNFUNDED MANDATES WEEK, scheduled for October 24-30, 1994. Our purpose is to reduce the burden of unfunded federal mandates on our cities and towns, and on our local taxpayers.

To succeed in this effort, we need your leadership and assistance. We must continue to increase the public's awareness about mandates and organize at the grass-roots level to force the federal government to respond to our concerns.

Dealing with unfunded mandates has been a top NLC priority for many years. Last year, thousands of you took part in National Unfunded Mandates Day on October 27, 1993. That effort had a significant impact on Congress and the White House this year. Although some said it could not be done, we now have bi-partisan support in Congress for federal mandates relief legislation.

Clearly, our efforts are making a difference ... but we must keep up the pressure on our national legislators to ensure concrete action at the federal level. That's what this year's NATIONAL UNFUNDED MANDATES WEEK is all about.

This year's campaign is designed to continue to educate our citizens about the impact of unfunded mandates on local budgets and to organize grass-roots support for a significant change in



**OCTOBER 24 - 30, 1994**

*is*

**National Unfunded Mandates Week**



how the federal government develops and implements laws affecting local governments.

For this year's campaign, I am asking you to do three things:

- 1) Write to Congress. Modify the sample mandates letter on the next page and fax it to the members of your Congressional delegation -- immediately.
- 2) Schedule events during National Unfunded Mandates Week. Pick two days during the week of October 24-30 for anti-mandates public awareness activities; use one day to educate your citizens about mandates, and use one day to educate and get commitments from your Congressional delegation and candidates for Congress about mandates. Citizens and those who aspire to represent citizens in Congress need to know what unfunded mandates are, who really pays for them, and how they impose growing and severe financial and administrative burdens on cities.
- 3) Let your state league and NLC know what your plans are for National Unfunded Mandates Week.

We all know that solutions to the unfunded mandates problem will not appear overnight. Our efforts during the past year have made a difference, and we must continue to build momentum.

Your active participation in National Unfunded Mandates Week will continue the education process and send a clear message to Congress that our resolve on this issue is as strong as ever.

I have enclosed a variety of materials to help you get started with your local efforts.

Please join me in this important campaign!

Sincerely,



Sharpe James  
President  
Mayor of Newark

Enclosures

**P.S.**

PLEASE MODIFY AND FAX  
THIS LETTER   
TODAY!

**MODIFY AND FAX THIS LETTER TODAY!**

## **Model Mandates Fax Letter**

September \_\_, 1994

The Honorable \_\_\_\_\_  
U.S. Senate/House of Representatives  
Washington, D.C. 20510/20515

Dear Senator/Representative \_\_\_\_\_:

The citizens and taxpayers of \_\_\_\_\_ need relief from future unfunded federal mandates. I am writing to urge you to push for passage of the Federal Mandate Accountability and Reform Act (S.993/H.R.4771) before Congress adjourns.

While a number of other mandates proposals have been offered, passage of this legislation is an all-important first step in the battle to slow down the growing financial and administrative burdens unfunded federal requirements impose on local taxpayers.

The cumulative impact of federal legislative and regulatory requirements directly and adversely affects the citizens of our community. Federal mandates require us to perform duties without any consideration of local circumstances, costs, or capacity. If we fail to comply with a mandate, we often are subject to civil or criminal liability, as well as onerous enforcement orders. Federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare, and safety of our citizens. Mandates require us to raise local taxes and fees or cut services to meet federal priorities.

The Federal Accountability and Reform Act, sponsored by Senators Kempthorne and Glenn and Representatives Conyers and Towns, would provide significant accountability and procedural safeguards to protect municipalities from future unfunded mandates. This is the only mandates relief legislation that has been endorsed by the National League of Cities and all other organizations representing state and local governments. It is a strong and viable bill. It provides the only chance for mandates relief this year.

The citizens of \_\_\_\_\_ need your help. We strongly encourage you to make the passage of the Federal Mandate Accountability and Reform Act your top priority over the few weeks remaining in this session of Congress.

Sincerely,

**MODIFY AND FAX THIS LETTER TODAY!**

## **Model Mandates Fax Letter**

September \_\_, 1994

The Honorable \_\_\_\_\_  
U.S. Senate/House of Representatives  
Washington, D.C. 20510/20515

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The citizens of \_\_\_\_\_ need your help. We strongly encourage you to make the passage of the Federal Mandate Accountability and Reform Act your top priority over the few weeks remaining in this session of Congress.

Sincerely,

# **National Unfunded Mandates Week**

## **October 24-30, 1994**

### **ACTIVITY CHECKLIST**

☒ **Yes, We Will:**

- ☐ **Personalize and fax, immediately, a letter to members of our Congressional delegation urging action on Federal Mandate Accountability and Reform.**
- ☐ **Adopt an unfunded mandates resolution** at a governing body meeting before or during the week of October 24-30.
- ☐ **Personalize a news release and send it** to our local and regional media.
- ☐ **Let our state municipal league know** about the activities we are planning for Unfunded Mandates Week.
- ☐ **Conduct a press conference, rally, march, information briefing** or other activity during National Unfunded Mandates Week.



National League of Cities





# **NATIONAL ADVOCACY MATERIALS**

for

National Unfunded  
Mandates Week  
October 24 - 30, 1994



**NATIONAL LEAGUE OF CITIES**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

## **SPECIFIC UNFUNDED MANDATES CONTAINED IN PENDING LEGISLATION**

### *Welfare*

1. Many of the current welfare reform proposals are funded by curtailing benefits to legal immigrants. Such financing measures would almost completely shift the costs of caring for such persons on to states and municipalities. Do you support curtailing federal benefits to legal immigrants to finance welfare reform? If so, how would you address the costs passed on to local taxpayers? What other suggestions do you have for financing welfare reform?
2. Many of the current welfare reform proposals require the provision of community service jobs where recipients are unable to find a job in the private sector. Local governments are concerned that they will be mandated by the federal government and states to create community service jobs without input from local elected officials and without sufficient funding to pay related costs. Would you favor a local option to decline participation in this WORK program if sufficient funding is not provided? What other suggestions do you have to help local governments deal with this concern?

## **LEGISLATION THAT OFFERS RELIEF FROM CURRENT UNFUNDED MANDATES**

### *Superfund*

1. It has become clear that Superfund, this country's hazardous waste cleanup law, has not been successful in achieving its desired results - the quick and conscientious clean up of this nation's hazardous waste sites. Moreover, municipalities are currently responsible for millions of dollars in cleanup costs as a result of cleanup activities undertaken as a public service. What relief from liability do you think the Superfund law should offer to cities and towns? Would you favor an exemption from liability for municipalities, or perhaps a cap on liability?



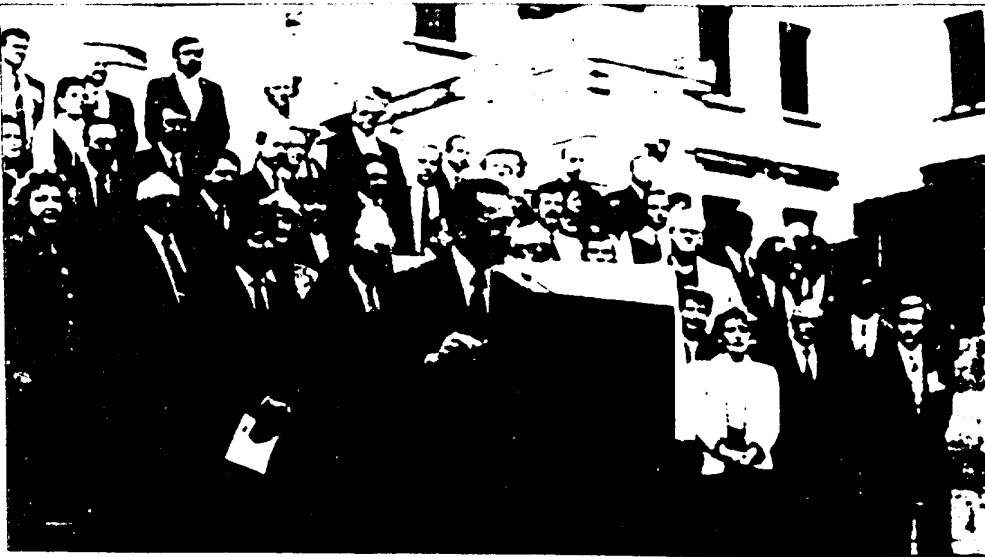
# **SAMPLE MEDIA MATERIALS**

for

National Unfunded  
Mandates Week  
October 24 - 30, 1994



**NATIONAL LEAGUE OF CITIES**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004



The message was  
loud and clear.



Gov. Kirk Fordice and the MMA grabbed front page headlines in the November 8 edition of Nation's Cities Weekly. A photograph of the Mississippi governor showing how he feels about unfunded mandates was selected by the NLC to lead a story on events on National Unfunded Mandates (NUM) Day, Oct. 27. The photo was taken during the MMA's NUM Day news conference.

### **Sample News Release on Unfunded Mandates Week**

The voters in ( *your city* ) should tell the candidates seeking election to Congress that it's time for Washington to stop sending them the bill for laws they create but don't want to pay for, ( *spokesperson's title and name* ) said today.

"We are calling for more accountability in the way federal policies affect ( *city name* ) taxpayers," said ( *name* ). "When Washington decides to impose -- but not pay for -- a costly program or requirement that local governments are directed to carry out, it's like a hidden tax on our community."

Such actions, called unfunded federal mandates, have become a costly burden to cities and towns everywhere, according to the National League of Cities. For the past three years in the nationwide NLC survey of city fiscal conditions, budget directors have identified unfunded mandates as one of the top three adverse factors affecting local government finances.

This week, ( *city* ) will be joining with hundreds of other communities throughout the United States in calling for an end to unfunded mandates. Continuing a campaign begun last year with a National Unfunded Mandates Day on October 27, the effort is intended to bring about effective and lasting changes in the way laws and regulations are designed in Washington.

"It is both deceitful and wrong for Washington lawmakers to think they can solve problems simply by passing their cost along to us," said ( *name* ). "Our leaders in Washington must begin to set priorities that fit within their available resources, just as our community and other cities must do every year."

Along with the growing impact of their costs, unfunded mandates have the effect of distorting local priorities by diverting resources that could have been used for other community needs.

*(Example of a local project not funded or cut because of mandated activity or cost.)*

( over )

"The 1994 elections can help to restore accountability and responsibility in federal decisionmaking if candidates realize how disruptive and burdensome unfunded mandates can be," said ( *name* ). "We want them to know that we don't want to quarrel with the intentions of laws enacted by Congress -- such as assuring a healthful environment and enabling people with disabilities to participate fully in our society. We just want them to understand what it costs and who should pay for carrying out these good intentions."

Some mandates, especially in the environmental area, set rigid guidelines that require enormous expenditures. Other mandates, which may appear modest by themselves, can add up to an immense total cost. Time-consuming regulations and paperwork requirements also drain the limited resources of local governments.

*( Cite example(s) from your community or region, if possible. )*

The campaign against unfunded mandates launched last year by the National League of Cities, state municipal leagues and other local government organizations has begun to bring about changes in Washington. Arbitrary standards and procedures established by the U.S. Environmental Protection Agency are being reexamined by Congress to reflect more realistic health concerns. A broad mandate-relief bill that would create a "truth in legislating" process also has gained broad bipartisan support in both the Senate and House of Representatives.

"Achieving the objectives of national programs depends upon working together, and it's up to us and our voters to tell that to the candidates in this year's elections," said ( *name* ). "We want people to know that it's unfair, and in some cases impossible, for local governments to pay for and carry out the costly one-size-fits-all programs that have characterized federal legislation for too long.

"The candidates are asking for support from the same voters who gave us their trust and support to look after their interests here in ( *city* ). We can't always do that if Washington keeps telling us what to do and keeps taking our taxes to pay for programs of its choosing. If our voters and the candidates understand that, then we will be able to stop the buckpassing of unfunded mandates," said ( *name* ).

# # #

## **Sample News Conference Remarks for Unfunded Mandates Week**

When the voters of ( *your city* ) cast their ballots in this year's Congressional elections, the pressures that affect our local taxes and services may seem to be the last thing they ought to be thinking about. In fact, however, it is something that should be very much on the minds of our voters on this upcoming Election Day.

I am ( *we are* ) here today to explain why this is true, not just here in ( *city name* ), but in cities and towns throughout the United States, as well. The fact of the matter is that it's time for Washington to stop sending us -- and our local taxpayers -- the bill for laws they create but don't want to pay for.

This is a call ( *We are calling* ) for more accountability in the way federal policies affect ( *city name* ) taxpayers. When Washington decides to impose -- but not pay for -- a costly program or requirement that local governments are directed to carry out, it's like a hidden tax on our community.

These actions are called unfunded federal mandates. They have become a costly burden to cities and towns everywhere. For example, according to a nationwide survey of city finances by the National League of Cities, unfunded mandates are one of the top three adverse factors affecting local government finances. That's not something new, either. It's been like that for the past three years in reports compiled from budget and finance directors in more than 500 cities and towns.

This week, ( *city* ) will be joining with hundreds of other communities throughout the United States in calling for an end to unfunded mandates. It is both deceitful and wrong for Washington lawmakers to think they can solve problems simply by passing their cost along to us. Our leaders in Washington must begin to set priorities that fit within their available resources, just as our community and other cities must do every year.

This is more than a simple debate over costs. When you are dealing with taxpayers' money, you have respect the value of those funds and set priorities. Unfunded mandates have the effect of distorting local priorities by diverting resources that could be used for other community needs.

*(Example of a local project not funded or cut because of mandated activity or cost.)*

The 1994 elections can help to restore accountability and responsibility in federal decisionmaking -- but only if candidates realize how disruptive and burdensome unfunded mandates can be.

( over )

In saying this, I ( *we* ) want our citizens -- as well as the candidates -- to know that the purpose here is not to quarrel with the intentions of laws enacted by Congress -- such as assuring a healthful environment and enabling people with disabilities to participate fully in our society. The issue is to understand what it costs. We want our citizens to be informed about the costs and who should pay for carrying out these good intentions. They can be enormously expensive, especially when using a rigid "one-size-fits-all" approach that ignores real world situations.

*( Cite example(s) from your community or region, if possible. )*

This initiative against unfunded mandates began in earnest last year as a grassroots local action campaign led by the National League of Cities, state municipal leagues and other local government organizations.

It has begun to bring about changes in Washington. Arbitrary standards and procedures established by the U.S. Environmental Protection Agency are being reexamined by Congress to reflect more realistic health concerns.

A broad mandate-relief bill that would create a "truth in legislating" process also has gained broad bipartisan support in both the Senate and House of Representatives.

The legislation in the Senate (S. 993) and a companion bill in the House (H.R. 4771) provide important safeguards and checkpoints for making sure Congress is being accountable for the mandates in laws or programs they create. I ( *we* ) believe any responsible candidate running for the House or Senate this year should state his or her position on this legislation and be held to it by our voters and local taxpayers.

Achieving the objectives of national programs depends upon working together, and it's up to the local leaders of our communities -- and our voters -- to tell that to the candidates in this year's elections. We want people to know that it's unfair, and in some cases impossible, for local governments to pay for and carry out the costly one-size-fits-all programs that have characterized federal legislation for too long.

The candidates are asking for support from the same voters who gave me (*us*) their trust and support to look after their interests here in ( *city* ). We can't always do that if Washington keeps telling us what to do and keeps taking our taxes to pay for programs of its choosing. If our voters and the candidates understand that, then we will be able to stop the buckpassing of unfunded mandates.

# # #



Sample "Open Letter" Commentary for Unfunded Mandates Week

This is an open letter to the citizens of ( *your city* ) and to the candidates campaigning in this year's congressional elections. Let's have a spirited and healthy debate over national issues and priorities that Washington should decide, and let's also say something about who's going to pay for all those great ideas.

Our city and others throughout the United States are footing the bill for more and more federal laws and regulations that require local governments to bear the cost of carrying out those programs. These actions, called unfunded mandates, can distort the process of allocating local tax revenues and setting local priorities here in ( *city* ).

When our voters cast their ballots in this year's Congressional elections, they should tell the candidates that it's time for Washington to stop sending us the bill for laws they create but don't want to pay for.

Unfunded mandates are like a hidden tax on our community. Our leaders in Washington must begin to set priorities that fit within their available resources, just as our community and other cities must do every year.

This is more than a simple debate over costs. When you are dealing with taxpayers' money, you have respect the value of those funds and set priorities. Unfunded mandates can interfere with local priorities by diverting resources that could be used for other community needs.

*(Example of a local project not funded or cut because of mandated activity or cost.)*

The 1994 elections can help to restore accountability and responsibility in federal decisionmaking -- but only if candidates realize how disruptive and burdensome unfunded mandates can be.

Congress has, in fact, begun to recognize this problem and is considering legislation to establish greater accountability in calculating the cost and impact of federal programs. I ( *we* ) believe any responsible candidate running for the House or Senate this year should state his or her position on this legislation and be held to it by our voters and local taxpayers.

( over )

In saying this, I / *we* / want our citizens -- as well as the candidates -- to know that our motive is not to quarrel with the intentions of laws enacted by Congress -- such as assuring a healthful environment and enabling people with disabilities to participate fully in our society. The issue is to understand what it costs and who should pay for it. We want our citizens to be informed about the costs and who should pay for carrying out these good intentions. They can be enormously expensive, especially when using a rigid "one-size-fits-all" approach that ignores real world situations.

Achieving the objectives of national programs depends upon working together. Our voters and the candidates should know that it's unfair, and in some cases impossible, for local governments to pay for and carry out the costly unfunded mandates that have characterized federal legislation for too long.

The candidates are asking for support from the same voters who gave me (*us*) their trust and support to look after their interests here in ( *city* ). We can't always do that if Washington keeps telling us what to do and keeps taking our taxes to pay for programs of its choosing. If our voters and the candidates understand that, then we will be able to stop the buckpassing of unfunded mandates.

# # #



# **EXAMPLES OF POSSIBLE LOCAL ACTIVITIES**

for

National Unfunded  
Mandates Week

October 24 - 30, 1994



**NATIONAL LEAGUE OF CITIES**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

# Sample Resolution on Unfunded Mandates

**Whereas**, unfunded federal mandates on state and local governments have increased significantly in recent years;

**Whereas**, federal mandates require cities and towns to perform duties without consideration of local circumstances, costs, or capacity, and subject municipalities to civil or criminal penalties for noncompliance;

**Whereas**, federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare, and safety of municipal citizens;

**Whereas**, excessive federal burdens on local governments force some combination of higher local taxes and fees and/or reduced local services on citizens and local taxpayers;

**Whereas**, federal mandates are too often inflexible, one-size-fits-all requirements that impose unrealistic time frames and specify procedures or facilities where less costly alternatives might be just as effective;

**Whereas**, existing mandates impose harsh pressures on local budgets and the federal government has imposed a freeze upon funding to help compensate for any new mandates;

**Whereas**, the cumulative impact of these legislative and regulatory actions directly affect the citizens of our cities and towns; and

**Whereas**, the National League of Cities, following up on last year's successful effort, is continuing its national public education campaign to help citizens understand and then reduce the burden and inflexibility of unfunded mandates, including a National Unfunded Mandates Week, October 24-30, 1994;

**Now, therefore, be it resolved** that the (City/Town of \_\_\_\_\_) endorses the efforts of the National League of Cities and supports working with NLC to fully inform our citizens about the impact of federal mandates on our government and the pocketbooks of our citizens;

**Be it further resolved** that the (City/Town of \_\_\_\_\_) endorses organizing and participating in events during the week of October 24-30, 1994; and finally

**Be it further resolved** that the (City/Town of \_\_\_\_\_) resolves to continue our efforts to work with members of our Congressional delegation to educate them about the impact of federal mandates and actions necessary to reduce their burden on our citizens.



## City of Orlando

CITY HALL

ONE CITY COMMONS

400 SOUTH ORANGE AVENUE  
ORLANDO, FLORIDA 32801-3302

OFFICE OF  
GLEND A. HOOD  
MAYOR

(407) 246-2221  
FAX (407) 246-2842

October 27, 1993

Chris Becker  
National League of Cities  
1301 Pennsylvania Avenue, #600  
Washington DC 20004

Dear Chris:

We had a very successful "NUM" day which I wanted to share with you. Our presentation had a creative twist to it which provided great visual impact. Other cities may want to replicate it.

Mayor Hood held a press conference outside of City Hall to educate the public on the impact unfunded federal mandates have on city governments. After surveying our department heads, we learned that 1.7 million dollars a year is spent in personnel costs to comply with unfunded federal mandates. That translates into 52 city employees. To visually demonstrate that impact we had 52 employees, primarily from our Public Works Department stand behind the Mayor.

The Mayor then went on to say that if we did not have to have these 52 employees keeping track of our unfunded responsibilities, we could hire 37 additional police officers that would help us meet the mandate from our citizens who want us to continue to provide them with safe streets and neighborhoods. At that point in her speech 37 police officers walk in front of the Mayor. Wow! Say no more.

I have enclosed a copy of the Mayor's remarks. I think you will particularly like our example on the water flea. I have also included photographs in case you would like to use them in any follow up stories you are doing on unfunded federal mandates. Also enclosed is our proclamation.

I look forward to seeing you in December.

Sincerely,

Kathleen R. Russell  
Intergovernmental Relations Official



**MISSISSIPPI MUNICIPAL ASSOCIATION**

**PRESIDENT, MAYOR BILL WHITT, OKOLONA**

**FIRST VICE PRESIDENT, MAYOR J. ED MORGAN, HATTIESBURG**

**SECOND VICE PRESIDENT, MAYOR LESTER SPELL, RICHLAND**

**AL SAGE, EXECUTIVE DIRECTOR**

**SUMMARY OF NATIONAL UNFUNDED MANDATES DAY  
IN MISSISSIPPI**

1. A press conference sponsored by the Mississippi Municipal Association was held at the State Capitol. More than 100 city, county, legislative and state officials were in attendance. Speakers included:
  - \*Governor Kirk Fordice
  - \*House Speaker Tim Ford
  - \*Senator Amy Tuck Powell, Chairman of the Senate County Affairs Committee
  - \*Mayor Bill Whitt, MMA President
  - \*Mayor John Robert Smith of Meridian, presenting cost figures on mandates
  - \*Mayor Monty Montgomery of Weir, telling how mandates hurt his town of 525 where he serves without pay
  - \*Supervisor Jamie McGowin, President of the Mississippi Association of Supervisors
  - \*Mayor Lester Spell, MMA Legislative Chairman

Letters of support from our Congressional delegation were also read.

The backdrop for the news conference was an 8 x 8 foot sign with "Unfunded Mandates" in black letters inside a red circle. At the end of the news conference, the Governor and other officials spray painted a red line through the sign to show our symbolic ban on unfunded mandates.

2. A news conference was also held by the City of Meridian.
3. 90 Mississippi municipalities adopted resolutions in support of the day and sent press releases to their media and letters to their legislators and Congressmen.

# Stressed-out cities plead: Uncle Sam, stop billing us

FRONT PAGE

By Randall Higgins

The Chattanooga Times

Today is National Unfunded Mandates Day.

Unlike most special days, it celebrates nothing. It is sort of like Halloween, though: a nightmare for local politicians who have to find some way to pay for somebody else's ideas.

"In plain language, it means local school systems, municipalities and counties must find a way to fund programs sent to them from their state capital or the national capital," said Kelly Snyder, speaking for the Dalton, Ga., school system.

tem.

Dalton will be one of 10 sites across Georgia where local political leaders get together today to focus on the problem — a growing list of things they are told they must do with no money provided to pay for it.

In Tennessee, there will be meetings today in Chattanooga and five other cities.

A University of Tennessee study found that the average Tennessean paid \$55.34 last year for unfunded mandates. The study estimates that Congress has forced Tennessee cities to spend a total of at

least \$2 billion in city taxes to comply with federal mandates.

What's an unfunded mandate? When the federal government says local governments must remove asbestos from public buildings, keep underground storage tanks from leaking, test drinking water or provide access for the handicapped — that's an unfunded mandate.

The mandates are nothing more than a sneaky way for Congress to raise taxes by making folks at the courthouse do it, the politicians say.

"The federal government thinks of all these good ideas, but they don't send any money to do it with. They can't pay for it themselves because of the way they've spent money, so it ends up getting passed down to the cities and counties," said Hamilton County Commissioner Paul Nolan.

In Hamilton County, some of the mandates can be funded with money from the general fund, but that source can only go so far, Nolan said.

"The only place we can get additional money is from a property tax increase," he said.

The Marion County Commission passed a resolution Tuesday night calling for a halt to unfunded mandates. The Hamilton County Commission passed a similar resolution last week. Other area commissions have already done so or will get a chance to at their next meeting.

"It's real easy to pass a law and let somebody else pay the bill," said Marion County Executive Hal Moss. "Then we have to go out and say 'hey, folks, we have to raise your property taxes or the federal government will cut off all our funds.'"

"I don't want to blast legislators," Moss said, "but I want them to realize they are putting us in a difficult situation."

Bledsoe County Executive Ed Frazier said he has no quarrel with keeping the environment clean. But legislators must realize, he said, that in rural counties, with little sales taxes to draw on, those regulations are paid for with property taxes.

"In Bledsoe County, we feel the taxes are high enough for what we have to offer back to the general public," Frazier said. "Therefore, when state and federal mandates are levied on us, it's like an over-taxing of the people."

Perhaps Congress could put some of its own tax money into an escrow account to help pay for some of the mandates it passes, Frazier said.

The mandates affect city governments, too.

The Athens City Council, at its last meeting, joined a growing list of towns passing resolutions calling for a mandate halt.

Kay Burton in the city manager's office recalled how one mandate — to remove asbestos from public buildings — forced the city to borrow money. That loan was just recently paid off, she said.

## Unfunded federal mandates

A recent survey of Tennessee cities by the University of Tennessee's Municipal Technical Advisory Service found that unfunded federal mandates cost Tennessee cities more than \$164 million last year, or an average \$55.34 per resident.

	Annual 1992-93 costs	Per person 1982-93 costs
Athens	\$112,000	\$9.29
Chattanooga	\$10,119,367	\$66.37
Cleveland	\$5,040	.17
Knoxville	\$2,881,828	\$17.45
Memphis	\$41,748,001	\$68.40
Oak Ridge	\$896,010	\$32.81
Tullahoma	\$346,175	\$20.65

"We don't have a quarrel with the intention of most federal laws," said Cleveland Mayor Tom Rowland. "It's just that a hand reaching down from Washington to grab our local tax dollars

wreaks havoc with our community's own priorities. We want our citizens to understand we aren't always free to spend our local taxes the way we would like."

"Tennessee state government is forbidden by state law from mandating unfunded programs to local government. The federal government should shoulder the same responsibility," Rowland said.

National Unfunded Mandates Day is a project of the National League of Cities and other national organizations. In Tennessee, it's headed by the Tennessee Municipal League.

They are asking for support of proposed legislation to at least stop the mandates for a while, if not pay for them.

U.S. Sen. Jim Sasser said Tuesday he will introduce a bill to ease the burdens. He will sponsor the Federal Mandate Funding Act of 1993.

# Virginia localities say "Enough already!" on National Unfunded Mandates Day

Virginia's local government leaders united against unfunded mandates today, declaring "Enough already!" during an event at Richmond City Hall. Standing shoulder to shoulder next to stacks of regulations, the officials spoke against state and federal programs that localities are required to implement and pay for.

Organized by the Virginia Association of Counties, Virginia Municipal League and Virginia School Boards Association, the news conference was part of National Unfunded Mandates Day. Also on hand to lend support were the Metro Richmond Chamber of Commerce and the Virginia League of Social Service Executives.

National Unfunded Mandates Day, which was observed throughout the country by hundreds of local governments, sought to raise public awareness and understanding of the problem of the federal and state governments imposing but not funding programs that local governments are directed to carry out. The event was sponsored by four national organizations – National Association of Counties, National League of Cities, U.S. Conference of Mayors and International City/County Management Association.

In his welcoming remarks, Richmond Mayor Walter Kenney acknowledged that it is rare to see such sweeping agreement among local officials. "You may know that in this region, it sometimes seems that we don't agree on much," he said. "But, as you can see, we are united here today. This is an issue that all of our regional leaders agree on – we cannot afford to keep paying for the free-spending ways of Congress."

Wearing lapel buttons declaring "Enough already!", the officials stressed that they do not oppose the goals of federal and state mandates but that localities cannot continue to foot the bill for inflexible programs. "We all agree that clean air, safe drinking water, fair wages and protecting endangered species are commendable national priorities that should be carried out," said Harry G. Daniel, president of the Virginia Association of Counties and member of the Chesterfield County Board of Supervisors. "However – and this is a big however – we also believe that the federal government must be willing to pay to support these programs."

Daniel compared unfunded federal mandates to someone using his credit card to purchase expensive "gifts" for him. "On a much larger scale, this is what the federal government is doing to us," he said, but it is the taxpayers who are paying the bill.



Virginia Municipal League President John Lemley, who is town manager of Christiansburg, compared unfunded mandates to Halloween. "The feds keep coming to our doors saying 'trick or treat' and we have to put more money in their bags. I think ... the expression should be 'trick and treat.' They trick us with mandates, and we have to treat anyway."

The officials said that whenever a locality spends a dollar on a state or federal program that locality must either cut a dollar from its basic services or it must raise taxes. Localities provide basic programs that no one else provides, and if local governments don't supply "crucial services - education, police and fire, health, welfare, buses, public housing - no one else will," Kenney said. "But at the same time, we must pay the bill for the host of other things that Washington thinks would be nice to have. Well, I say send the check along with the checklist."

Across Virginia, local governments have taken a stand against unfunded mandates: at least 39 counties, 12 cities and 25 towns have passed anti-mandate resolutions. *(A list of these localities, along with a sample resolution, is included in the press packet.)*

A recent survey by the Virginia Municipal League and the Virginia Association of Counties indicated which mandates are most burdensome to Virginia local governments: the maze of landfill regulations, water requirements like the Safe Drinking Water Act and stormwater regulations, teacher salary mandates, recycling requirements and tidal wetland regulations.

How much are local governments spending on unfunded mandates? Henrico County recently estimated that unfunded federal mandates alone cost local taxpayers \$11,115,707 in fiscal year 1993. That's equal to two parks, two libraries, 25 police officers and 33 schoolteachers. A survey conducted by Price Waterhouse for the National Association of Counties estimated that U.S. counties are spending \$4.8 billion each year to comply with just 12 of the many unfunded federal mandates. *(Complete survey information is included in the press packet.)*

"Let me stress again," Daniel said, "It is not the goals we oppose. What we oppose is twofold: First, the one-size-fits-all mentality of mandates. As many of you know, one-size-fits-all clothing rarely fits anyone well. And, finally, the fact that these goals are important enough for Congress to require us to do but not important enough for them to pay for."

Lemley spelled out what local officials want from the state and federal governments: Flexibility to implement programs "so that we are not subject to the same testing standards that Honolulu and New York City" face because their needs are different. "Local officials believe that if the federal government feels strongly enough about meeting a need, then they should feel strongly enough to send the money to meet that need," he said.

# Unfunded mandates tax city budgets

By DON PORTER  
and JON MOODY  
Tribune Staff Writers

**SOUTH BEND** — Local government officials say they are tired of taking the blame for spending that was never their idea in the first place.

Unfunded mandates passed down to the local level by the federal and state governments are taking growing chunks out of city budgets, according to South Bend Mayor Joseph E. Kernan and Robert C. Beutter, his Mishawaka counterpart.

The two held news conferences Wednesday to mark a new National Unfunded Mandates Day. It is being promoted by local government officials tired of taking the heat for picking up the tab for somebody else's programs.

The programs include many with broad political support — the Clean Air Act, Americans with Disabilities Act, labor laws and this year's national voter registration law — until it comes time to pay up.

Cities and counties have felt the financial pressure growing since the 1980s, when Congress eliminated revenue sharing programs that pumped federal dollars

into local treasuries.

Carrying out programs mandated by Congress and the state is expected to cost about \$17 million in South Bend during the next six years, Kernan said. At the same time, revenue to the city from those two levels of government has decreased by about \$20 million a year since 1980, he added.

In Mishawaka, utility customers already have seen how rates can be affected by federal mandates, Beutter said. He pointed to sewage rate increases of 45 and 72 percent enacted over the last several years to meet federal treatment requirements.

And it will get much worse beginning in 1995 if current state and federal mandates continue as projected, according to Beutter and Wastewater Treatment Plant Manager Karl Kopec.

"To meet the federal requirements, we have to generate the additional funds," Beutter said. "But in Indiana, with our controlled tax levy, it's not a matter of raising taxes. So lately, it's been in the form of user fees."

Federally mandated costs to operate the treatment plant could skyrocket to more than \$25 million

a year if projections are correct, Kopec said. The plant's annual operating budget is now about \$4 million.

"The goals of the mandated programs are good, but good intentions in Washington don't pay the bills here," Kernan said. "Unfunded mandates are really new taxes passed at the national level but passed on to the local level for collection."

"We in local government are at the bottom of the food chain," he added. "We have no recourse but to implement the things they mandate. Then they leave it up to us to figure out how to pay for them. We get blamed for raising rates to do that."

Kernan estimated that it costs the average South Bend household about \$75 a year in taxes and user fees to pay for programs mandated but not funded by federal and state governments.

Local officials want state and federal governments to stop passing on mandates to them unless they are fully funded, Kernan said.

"We don't think that's unreasonable," he said. "It's irresponsible to do otherwise."

"That's the problem caused by these extremely expensive mandates. If the federal and state governments don't give assistance, the only place you can look to for funding is from ratepayers," Kopec said. One mandate that could hit Mish-

awaka hard, he added, is a pending requirement for cities to separate their present combined storm and sanitary sewer mains.

Joining in efforts to focus on the unfunded mandates issue are the U.S. Conference of Mayors, the National Association of Counties, the National League of Cities, and the International City/County Management Association.

Local officials nationwide are lining up in support of legislation in the House and Senate to rein back the unfunded mandates.

Sen. Richard G. Lugar, R-Ind., a co-sponsor of the Senate measure, said "local officials are in a better position than their congressional counterparts to judge local needs and priorities."

"This bill would direct the Congressional Budget Office to determine any costs incurred by states and localities as a result of any measure before Congress," Lugar said. "The bill would then exempt them from new federal regulations that qualified as unfunded mandates."

The Associated Press contributed to this story.

PHOTO OFFICE

# Unfunded mandates cost each of you \$35

BY ANN HARRELL  
Lincoln Journal

Federal mandates imposed on cities without federal financial support to pay for them will cost each Lincoln resident about \$35 in fiscal year 1993-94, Mayor Mike Johanns said this morning.

That comes to more than \$7 million, Johanns said during a news conference at the Lincoln Water System offices.

"Our goal today is to try to call attention to that," the mayor said.

Johanns' presentation was one of several in Nebraska and many nationwide to raise public awareness of the problems cities face when federal laws are passed but no money is provided to help local governments implement them.

The mayor also spoke of the frustrations cities face because federal mandates are not flexible enough to adapt to local conditions.

For example, the city monitors its water supply for a wide variety of chemicals as required under federal law — including one pineapple farmers spray on their crops.

"The application to Lincoln, Nebraska, is questionable," said Steve Masters of the city's Public Works Department.

Between 1960 and 1985, federal lawmakers passed 17 mandates for which the cost was passed on to the cities, Johanns said. Between 1988 and 1992, that number jumped to 88.

Meanwhile, during the past 12 years, federal funding to cities has been cut by two-thirds, he said.

The National League of Cities, U.S. Conference of Mayors and state and local municipal leagues organized today's news conferences to call attention to this.

The most expensive unfunded federal mandates relate to environmental management, Johanns and other city officials said. But that's not the only area where federal requirements hit local budgets hard.

The city's Parks and Recreation

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**City officials are not insensitive to the problems the federal legislation is trying to address, Mayor Mike Johanns said. But "the local person is the one paying for it. We don't print the money."**

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Department needs to make more than \$1 million worth of improvements to the parks system to meet regulations in the Americans With Disabilities Act, Johanns said. In fact, the federal deadline for doing the work already has passed.

But the only way the city can pay for that work is through property taxes, he said. If it all were to be done in one year, the city's share of the local property tax would have to go up 4 percent.

That doesn't even address ADA requirements at other local government properties, he said.

The city has budgeted \$55,000 in 1993-94 for ADA requirements, of which about half goes to parks. "That's pretty well a drop in the bucket," Johanns said.

City officials are not insensitive to the problems the federal legislation is trying to address, he said. But, "the local person is the one paying for it. We don't print the money."

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# South Sioux City Delivers Effective Message

Reprinted by permission from the  
South Sioux City Star

by William Huegerich

Unfunded Mandates Day, Oct. 27, was organized to show the taxpayer where a lot of their money is going, according to City Administrator Lance Hedquist.

South Sioux City is trying to show people how the increasing costs from federal mandates are and will in the future, impact the taxpayers. Hedquist said these mandates have good intentions but are not backed with the needed funding.

"Do you want clean water? Do you want clean air? Of course you do," Hedquist said. "But it's gotten to the point where you can't afford to take every pollutant out of the air."

He said that from 1980 to 1992, federal spending on foreign aid grew 177 percent while spending on cities dropped 54 percent.

## Stormwater Discharge

One of these unfunded mandates deals with stormwater discharges. South Sioux City has nine places where water drains into the Missouri River. The city will have to get recording rain gauges in each of these areas to sample the rainfall.

Flow meters will be installed at the outlet pipes which are calibrated and programmed.

"When you think a storm is going to happen, you then dispatch people to these locations to take two different samples," Hedquist said.

First the city would take a test rod and take a sample out of the water. This sample must be taken immediately to a testing lab to test for bacteria. It must be done within a short period of time or any bacteria would die, according to Hedquist.

Next, a flow analysis would be done over a three-hour period. These samples would be put on ice and also taken to a test lab. Final-



Earl Dye, Supervisor of South Sioux City, stands by a sign listing compactor fees necessary to help pay for increased costs of operating the landfill.

**EFFECTIVE 8 16 93**

## COMPACTOR HOURS

MONDAY THRU SATURDAY  
OPEN 9:00 AM CLOSE 5:00 PM

## COMPACTOR FEES

1. AUTOMOBILE	\$2.00
2. PICK-UP W/O RACK TWO WHEEL TRAILER	6.00
3. PICK-UP W/RACK AND VANS	8.00
4. FOUR WHEEL TRAILER	10.00
5. LARGE APPLIANCES	4.00 EACH
6. FURNITURE	4.00 EACH
7. TIRES	

ly, the equipment would require clean-up, recalibration and routine maintenance.

According to Hedquist, only a representative rainfall can count. If it rains too little or too much, the sample wouldn't count. He added that it doesn't matter what the size of the discharge stream is. The same tests are required for a small creek as for the Missouri River.

Once a problem is found, Hedquist said they will probably ask them to treat it. The cost would be huge for the labor, equipment and testing laboratory costs according to Hedquist.

"We've at least got Congress to delay the implementation and to push the date we have to start but it appears the issue is inevitable," he said.

The Federal Government Clean Water Act requires cities to do this testing starting with the largest.

## Road Construction

"They're talking about requiring us to do computer analysis of traffic pollutants," Hedquist said. "(West) 29th Street would not be built today if this rule was in effect."

The computer analysis would look at the traffic flow, emissions and alternatives to reduce pollutants. This would delay construction as well as add the cost of installing and using the computer modeling package.

## Transformer

Transformers are filled with oil which used to cause them to catch fire easily. An additive called a Poly Chlorinated Biphenol or PCB, was developed to stop these fires. The city was required to add this to all the transformers. According to Hedquist, the federal government later thought PCBs were carcinogenic and said the city had to take them all out again.

"We're done now but we've spent over \$150,000 getting rid of the PCBs and now what's being said is 'We're not sure that was really the problem we thought it was,'" he said.

Hedquist said the federal government tends to overreact. Once a little problem is found, it has to be taken care of before scientific studies are done.

"There is a little risk to living," Hedquist said. "No matter what you do."

## Landfills

"The bottom line is your sanitation bill is going to go up or your service is going to drop," Hedquist said.

He said the Environmental Protection Agency is requiring the same regulations for all landfills regardless of size or location. Liners are required which cost \$3.80 per square yard. Compacted soil used to be the only requirement with no liners.

"You think about acres of land at

# Oct. 27, National Unfunded Mandates Day

\$3.80 per yard, you're talking about big bucks," Hedquist said.

He said he expects a 20 percent increase in operating costs which is almost entirely from unfunded mandates.

## Lead and Copper

"The city's water is great. We have no lead or copper problems," Hedquist said. "You may have a problem in your house because you may have copper lines or lead solder."

The EPA wants to find the houses with the worst problems, generally those built from 1980 to 1986. During those years, some lead was allowed in the solder. Hedquist said because a few houses have problems, they are required to treat the entire city water supply.

"Copper is not noted to be a really bad chemical overall," he said. "There's a real question to whether they can't even take it off the list."

## Problem is Over

The EPA has refused to do so up to this point. Hedquist said if people run their water a few seconds before taking a drink, the problem is over.

"Most people I know don't take the first swig of water anyway," he said.

They are required to take the first drop out of the faucet in the morning for their testing however.

Out of the first 36 cities to test, 19 have failed the copper standard so far. Hedquist said in addition to the cost of adjusting the PH level of the water, at least \$20,000, there are other potential problems.

He said when Milwaukee adjusted its PH, 300,000 people became sick because a bacteria became a problem with the chemistry change.

## Water Treatment Plant Testing

"Right now we test for 111 chemicals and contaminants," Hedquist said. "The EPA has a goal to add 25 chemicals every year to that list plus refining the old ones."

He added that one of the tests they are required to do is for a chemical banned in the continental

United States which is only used as a pesticide for pineapples in Hawaii.

"We have to spend all this money and do all this testing when there isn't even a problem perceived by the public," Hedquist said. "We expect our cost to triple in the next two years and that's a conservative estimate."

## Radon

Testing will also be required for radon. Hedquist said homes with radon problems are most likely from cracks in the basement or because of their location, not from the water. If a radon treatment plant were required to treat the water, the cost would be a large burden on the taxpayers.

An estimate for a plant with a capacity of 100,000 gallons per day is \$250,000 to \$300,000 to build, \$65,000 to \$100,000 for the water

mains and \$18,000 to \$36,000 annual operating and maintenance costs. South Sioux City would need a plant significantly larger than that using 4,200,000 gallons of water per day.

## Requests

South Sioux City is requesting three things from the federal government.

First, federally passed mandates should be funded by the federal government.

Second, there should be research supporting cost benefits from the mandates. They shouldn't be implemented if the systems are below standards.

Finally, mandates should not treat all areas the same. The problems and requirements vary from area to area depending on size, location and other factors. ■



Mark Wiltgen, Water Plant Operator of South Sioux City shows Council member Maxine Koskovich how to run a lab test. Wiltgen won the Nebraska Water Operator Excellence Award in 1992.

**Annual unfunded mandate costs to the City of Greensboro are approximately \$11 million. This amount would fund any one of the following:**

- Costs to hire and train 220 police officers.
- Costs to hire and train 244 firefighters.
- Operations of our recreation centers for a decade.
- Operations of our branch libraries for more than six years.
- Operations of our regional parks for more than six years.

**Annual costs of \$11 million plus identified one-time costs of \$7.3 million would provide funds for operations of any one of the following:**

- Parks and Recreation Department for more than one year.
- Fire Department for more than one year.
- Engineering and Inspections Department for three years.
- Transportation Department for more than one year.
- Libraries for four years.

**Annual costs of \$11 million plus identified one-time costs of \$7.3 million would provide funds for the following capital improvement projects:**

- Culture and Recreation - Recreation Center/Ice Facility, New Main Library and one branch library.  
or
- Transportation and Public Safety - Multi-modal Ground Transportation Center and five fire stations.

# **WHAT BOISEANS WILL PAY FOR FEDERAL MANDATES IN FY 94**

**PUBLIC WORKS.....\$8,388,000**

sludge regulations, water pretreatment, underground storage  
tank removal, remediation

**AIRPORT.....\$5,500,000**

runway lighting, new signs, increased security,  
environmental compliance/monitoring/inspection

**PARKS.....\$1,900,000**

federal playground standards, ADA, chemical storage  
standards

**PERSONNEL.....\$610,615**

FICA, Fair Labor Standards, Labor Mgmt. Relations Act, Civil  
Rights Act, Age Discrimination Act, Drug Free Workplace  
Act, EEOC Regs, Immigration Regs, Equal Pay Act, etc.

**BUS.....\$385,685**

Drug testing, Commercial Drivers License Regs, ADA, etc.

**POLICE/FIRE/OTHER.....\$230,762**

HAZMAT Training, ADA, Tracking of habitual offenders,  
Bidding laws, Surplus sales, Public records laws

**TOTAL      \$17,015,062**

# Beard says Congress needs to learn about unfunded mandates

By M. Scott Morris

SA Editor

Any local taxpayer knows the city of Jackson doesn't have an unlimited supply of money to spend, and Mayor Norma Beard said that's a lesson Congressional leaders need to learn.

In order to teach that lesson, the National League of Cities and the Alabama League of Municipalities are sponsoring "National Unfunded Mandates Week" from Oct. 24 through Oct. 30, and Oct. 27 was "National Unfunded Mandates Day."

Beard said the increase in garbage fees to \$12.35 for residential customers and 30 percent hikes for commercial customers are the result of unfunded mandates.

She said the county could no longer afford to operate the landfill. Since 1991, the yearly fee for garbage disposal in a landfill has increased from \$23,400 a year to \$180,510 a year.

"Remember, that's just for the landfill," she said.

City Administrator Jesse Miller said the environmental regulations passed by the United States Environmental Protection Agency (USEPA) through the Alabama Department of Environmental Management (ADEM) dictate safety precautions that a rural county or city cannot realistically meet.

Miller said landfill regulations include applying two liners in the landfill and protecting the ground water supply from landfill runoff.

"We're not saying something shouldn't be done about that," Miller said, but the city cannot afford to operate a landfill due to those regulations.

Beard said the city has no problem with the regulations, but finding money to implement the regulations is a definite concern. She said cities throughout the nation have the same problems, and they've banded together to impress upon Congress the trouble caused when laws are passed that do not contain funding.

"We're not going to tell them how to do it," Beard said, adding that Congress needs to look harder before passing costs onto the cities.

According to a press release from the National League of Cities, in 1990 the USEPA predicted that by the year 2000, cities and towns will have to spend \$1.8 billion annually just to comply with federal environmental mandates that were then in effect. That cost does not include regulations passed since then and is equivalent to a 32 percent property tax increase for local governments.

Water and Sewer Department Superintendent David Dolbear said, "Everyday it seems like something new comes down."

The Jackson Water and Sewer Board is considering a bond issue that will provide \$1 million, and if the issue occurs, nearly \$800,000 of the money will be spent to bring the city within USEPA re-

quirements.

The board plans to spend roughly \$375,000 on the wastewater treatment facility, which would include modifications to the lagoon, and \$400,000 on filter backwash at the water treatment plant.

Dolbear said one problem with the mandates is they are applied without regard to region, so the city tests for things that can't be found in Alabama.

Beard said the National League of Cities is attempting to have mandates adjusted for individual regions, which means cities would be exempt from at least some unnecessary testing.

Miller said a water plant is an expensive investment for a city - \$5 or \$6 million for a town the size of Jackson, and unfunded mandates make it even more difficult for rural cities to operate water plants. The Water and Sewer Board is currently considering privatizing the city's water system, partly as a result of unfunded mandates.

"We're against poisoning our water system," Miller said, adding that many of the mandates were intended to benefit people, but if costs continue to increase, so will taxes.

Dolbear said at one time the federal government provided funds to implement regulations, but that is no longer the case.

"They have to provide a means of funding these mandates," he said.

The mayor said the purpose of "National Unfunded Mandates Week" is also to inform local citizens of the problems affecting cities.

"We're not fighting against the environment," she said, but the money needed to comply with regulations keeps getting harder to find.





# Federal government must stop creating unfunded mandates

By W.D. Workman III

One hundred thirty million dollars — it's enough to pay the salaries of over 600 police officers for six years. It's enough to repave over 3,800 miles of roads. It's enough to fund the total budgets of Greenville County and the cities of Greenville, Greer, Mauldin, Simpsonville, Fountain Inn and Travelers Rest for 14 months.

Instead, Greenville County's citizens will spend \$130 million to pay the costs of 10 unfunded federal mandates during the years 1993-1998.

Mandates are laws, regulations and standards with which local governments must comply. Of course, there is always a cost to achieve compliance and most federal mandates do not provide the funding to pay these costs.

Unfunded mandates are a national problem, with a total estimated cost of over \$430 billion. They directly affect almost every local government and, therefore, every citizen in our nation.

Unfunded federal mandates have become one of the single largest financial burdens on local governments; their cost has outstripped the ability of local governments to pay for them.

Unfunded federal mandates have resulted in horror stories across the nation. You hear about cities that are forced to build expensive new facilities whose cost far exceeds the total yearly budget for the entire city. You hear of local governments forced to double or triple millage rates in response to requirements over which they have no control. There are government entities that must spend millions of dollars to achieve miniscule and sometimes questionable benefits. Such evidence aside, it is clear the increasing number of federal mandates have forced local governments to raise taxes, increase fees, cut services or shift resources away from local priorities.

Mandates come in many forms and some are highly technical. The technical nature of mandates is one of the reasons the general public does not know much about the mandates and their impact.

Helping the public and particularly national elected officials understand the impact of unfunded federal mandates was the purpose of National Unfunded Mandates Day on Oct. 27. This was a project of the National League of Cities, U.S. Conference of Mayors, National Association of Counties and other organizations concerned with the viability of local government.

The primary local government entities in Greenville County joined in this effort. The cities of Greenville, Travelers Rest, Mauldin, Simpsonville, Fountain Inn and Greer as well as the county of Greenville, the Greenville Water System and Western Carolina Regional Sewer Authority joined to calculate the collective cost of unfunded mandates in Greenville County.

The impact is substantial. From 1993 until 1998, the primary local governments in Greenville County will spend in excess of \$130 million to meet the requirements of the "top 10" unfunded federal mandates. The mandates include:

- Underground storage tank remediation
- Clean Water Act
- Clean Air Act
- Landfill regulations
- Safe Drinking Water Act
- Asbestos removal
- Lead-based paint removal
- Endangered Species Act
- Americans with Disabilities Act
- Fair Labor Standards Act

And Greenville County citizens should realize this list (and price tag) does not reflect spending on these mandates before 1993 or past 1998. Plus, this is only the cost for ten mandates. The total cost of all mandates is even higher.

The growth in unfunded federal mandates has become an increasingly significant problem for local governments in recent years. The number of mandates has increased substantially while federal funding for local governments has decreased dramatically. Congressional representatives and policymakers in the federal bureaucracy, in response to the pressure of special interest groups, have enacted legislation and regulations which force local governments to respond to perceived problems.

Despite all of the rhetoric about government streamlining, government down-sizing, and government reengineering, the federal government has pumped out mandates at an astonishing rate. One observer estimated the federal government is producing more than 100 unfunded mandates every 10 years.

In most cases, local government leaders have no quarrel with the intentions of the laws and regulations enacted by the federal government. In most cases, the issues which the mandates concern should be addressed. Who can argue against clean water, clean air and landfills that don't pollute? The problem is how local governments are forced to address these issues.

The federal mandates require local governments to perform duties without consideration of local circumstances, costs or capacity. They subject the local governments to civil and criminal penalties for non-compliance.

Federal mandates require compliance regardless of other pressing local needs and priorities affecting the health, welfare and safety of citizens. And, the federal mandates are often inflexible, imposing requirements with unrealistic timeframes

and specifying procedures or facilities that are more costly than other strategies that could be as effective.

# Stop unfunded mandates

**I**f you happen to be at City Hall today, you are likely to spot a sign posted on the doors warning, "Caution — Costly Mandates Ahead!"

It is our way of joining with mayors across America to let our citizens and representatives in Washington know what mandates are doing to city budgets and local taxpayers.

What is an unfunded mandate? It is a requirement of the federal government for a specific program. The "mandate" means it must be done by a certain deadline with very specific rules about how it will be done.

Who pays for federal mandates? You do, as a taxpayer or businessperson, by increased local taxes and fees. The federal government adopts legislation or establishes regulations without providing the dollars. It's left to local governments to raise the dollars to pay for the mandates.

Mandates are set without considering our local circumstances or capacity to respond and implement them. For example, in the West Texas area, only nine of 55 landfills remain open. Most have closed due to federal mandates of Subtitle D requirements. All these cities have seen or will see a significant increase in the cost of their refuse collection.

Mandates set priorities without local input. What this means for our citizens is "spending without representation" because federal and state governments choose how the city of Abilene will spend its resources without regard to our community priorities. Unfunded mandates take away our ability to respond to the needs of our community as we are faced with the difficult choice of raising taxes or cutting important programs that impact the quality of life in this city.



**Mayor  
Gary  
McCaleb**  
Guest  
columnist

How much do unfunded mandates really cost? A lot. Here in Abilene, the cost of mandates for the landfill, water and wastewater in 1993 was \$771,900; in 1994 that cost will be \$1,331,000. You and I can identify critical priorities in this community that those dollars could be used to address.

Another key issue of unfunded mandates is that we do not even have a choice in identifying less costly alternatives. Everyone falls under a "one size fits all" solution. In the case of Abilene's landfill, new regulations require a composite liner, two feet of compacted clay material covered with a synthetic liner sheet, which is designed to deal with worst case situations.

These worst case situations include groundwater contamination, but in Abilene's case, we have no groundwater. However, the "cookie cutter" model of regulations does not consider the soil and water characteristics of a landfill liner site.

The City Council and I are not opposed to mandates that protect citizens' public health, safety and civil rights. We support national goals to assure clean air, water and a healthy and safe environment. Two mandates that will increase the quality of life for our citizens that we are implementing are the Americans with Disabilities Act and the

Family Medical Leave Act.

But even in these examples, adding flexibility and input for local governments could have made a good solution even better.

Why should citizens care about unfunded mandates? Your checkbook. Unfunded mandates provide Washington a way to write a blank check on your checkbook, which is passed down through our city budget to you, through increased fees and taxes. Washington is able to avoid taking the heat that comes with having to pay for these programs.

What can citizens do about mandates? You can write or call your representatives in Congress to urge them to:

1. Stop passing legislation that requires our city to spend dollars without input into the decision.
2. Consider what the real cost of implementing and monitoring mandates will be, how it will be paid for and by whom, before voting on legislation.
3. Review existing federal mandates to make them more flexible and provide local governments more input in setting priorities and implementing mandates.
4. Support the Kempthorne-Condit Bill, which would require that mandates imposed by the federal government include dollars to cover the costs.

The City Council and staff will continue to alert you when an increased cost is due to an unfunded mandate. Your refuse bill will carry the message, "New refuse rates due to Federal/State mandates." Together, we can get the attention of our representatives in Washington and work to regain our ability to make decisions about our community needs and priorities. Together, we can make a difference!



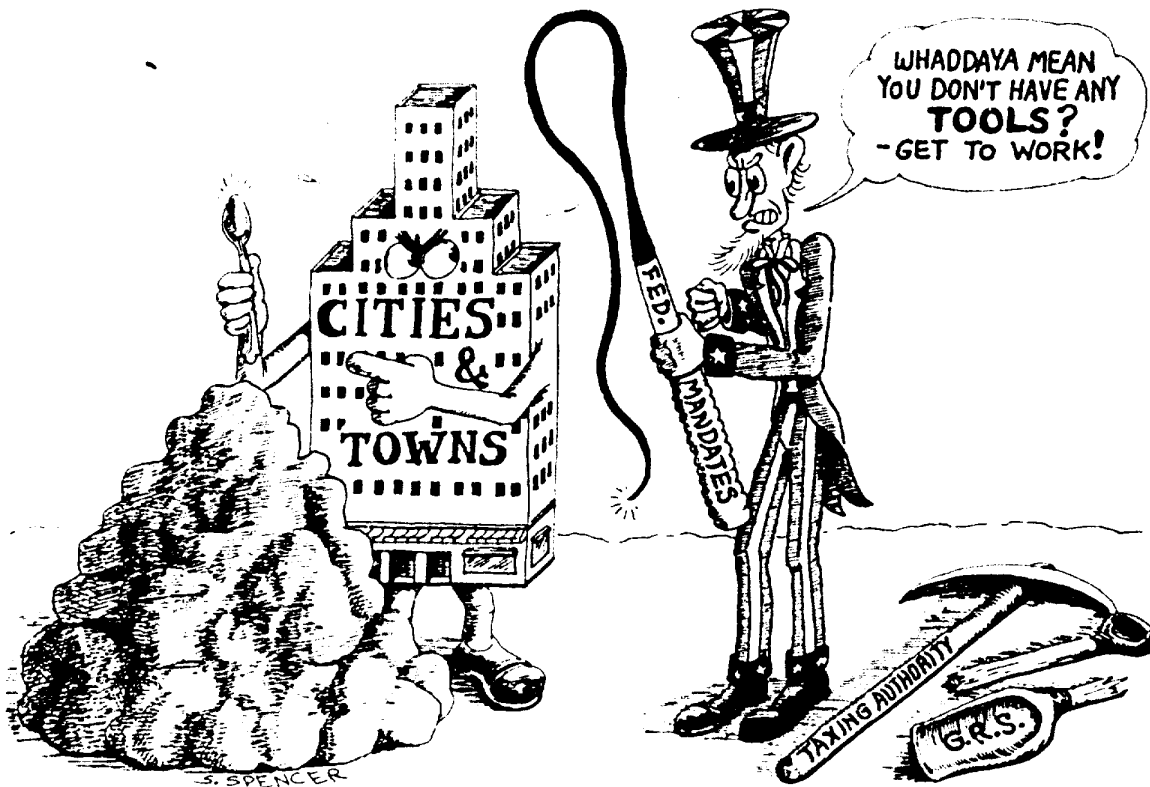
# **BACKGROUND MATERIALS**

for

National Unfunded  
Mandates Week  
October 24 - 30, 1994



**NATIONAL LEAGUE OF CITIES**  
1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004





# Questions & Answers

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## On Unfunded Mandates



**NATIONAL LEAGUE OF CITIES**

1301 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

## **Q♦ What are federal mandates?**

**A♦** Federal mandates are requirements placed on local governments by the federal government to perform specified tasks. They are "mandates" because they must be done, and they are "federal" because the national government enacts them. To determine if something is a mandate for your city or town just ask the question: "Must my city do this or risk civil or criminal penalties?"

## **Q♦ Who pays for federal mandates?**

**A♦** Local citizens and businesses pay for most federal mandates through increased local taxes and fees. Most federal mandates are unfunded or underfunded. This means the federal government adopts the legislation and/or establishes regulatory requirements without appropriating any federal funds to implement the legislation or regulations. The costs for implementation are left to the local government.

## **Q♦ Why are mandates a problem?**

**A♦** Federal mandates are a problem for three reasons: (1) they are imposed without consideration of local circumstances or capacity to implement the federal requirements; (2) they strain already tight budgets forcing increases in local tax rates and fees to pay for mandates, continue to provide local services, and keep local budgets in balance; and (3) they set priorities for local governments without local input. Because most mandates require compliance regardless of other pressing local needs, federal mandates often "squeeze out" projects and activities that are local priorities and which could contribute more to local health, welfare and safety than the specific action or activity dictated by federal law or regulation. Local dollars spent on federal mandates is money that cannot be spent on local priorities.



Q  
A

## ◆ Why should citizens care about federal mandates?

Federal mandates allow the federal government to write checks on the local government's checkbook. They interfere with local decision-making and give authority to remote federal lawmakers and bureaucrats rather than easily accessible local mayors and councilmembers. And, perhaps most importantly, they force local governments to raise local taxes and fees in order to comply with federal mandates and maintain local services.

Q  
A

## ◆ What can local leaders do about mandates?



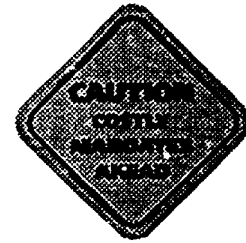
Local government leaders must begin to speak out about the impact of federal mandates on their government, its budget, and on the pocketbooks of citizens. They must also take responsibility for educating their constituents about the impact of federal mandates on local priorities and local budgets. National organizations representing state and local governments in Washington are providing information and resources to help local leaders educate themselves, their constituents, and their Congressional delegations about the impact of federal mandates and the urgent need to create a better way of doing business — a partnership where levels of local government work together to agree on priorities and methods of achieving those shared commitments.

Q  
A

## ◆ What can citizens do about mandates?

Citizens should write or call their representatives in Congress to urge that they: (1) stop passing legislation that requires local governments to spend millions of dollars without any input into the decision; (2) consider much more carefully the cost and impact of mandates on local communities when voting on legislation; and (3) review existing federal mandates to make them more flexible and permit greater local government autonomy in setting priorities and implementation strategies.

## **Q. How much do federal mandates really cost?**



Federal mandates cost individual cities millions of dollars. For example, Columbus, Ohio, will have to spend \$16 million to reduce the level of atrazine, a corn herbicide, in its water supply to a level of less than three parts per billion, or the equivalent of one half an aspirin tablet per 16,000 gallons of water. The city of Anchorage will spend \$1.5 million to comply with municipal stormwater requirements. The cities of Lewiston and Auburn, Maine, expect to spend \$17 million to comply with the federal safe drinking water mandates which will produce virtually no change in the quality or delivery of water. In 1990, the U.S. Environmental Protection Agency (EPA) predicted that by the year 2000, cities and towns will have to spend \$12.8 billion annually just to comply with federal environmental mandates that were then in effect — the equivalent of a 32 percent property tax increase for local governments.

## **Q. Are local governments opposed to mandates that protect the public health, safety and civil rights of citizens?**

No. Local elected officials are committed to providing public services that enhance the health, safety, and welfare of their citizens. City officials support and continue to develop programs to advance these and other objectives.

But local officials are opposed to unfunded, inflexible, "one-size-fits-all" laws and regulations. These laws and regulations impose unrealistic time schedules for compliance, specify the use of procedures or facilities when less costly alternatives might serve as well, and require far more than underlying laws appear to require. Local officials want to concentrate on performance, not procedures.





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# Mandates

Unfunded federal mandates cripple the ability of local officials to meet pressing local priorities within already tight budgets. Mandates pose one the greatest financial burdens on our nation's cities and towns.

Who pays the costs of these mandates? Local taxpayers, through higher taxes and fees and reduced city services. The costs of non-compliance are criminal and civil penalties — including huge fines against local governments and even imprisonment of local officials.

Over the last five years, the cost of unfunded federal mandates has increased substantially while the funding available from the federal government has decreased dramatically. This year, the federal government has proposed still more mandates, along with increased funding for enforcement actions.

Some national leaders just don't get it. And local citizens don't understand why they should have to pay more and get less.

As local leaders, we must change these attitudes. No city can afford to fund even the existing federal requirements, let alone those in the pipeline. And we must show our citizens that federal mandates are their problem, too.

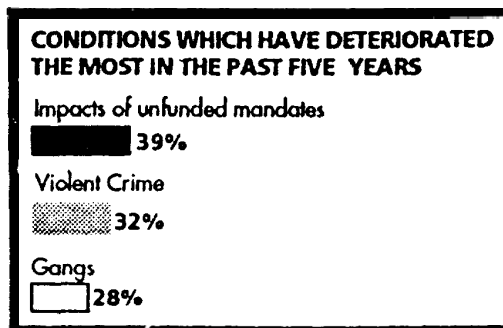
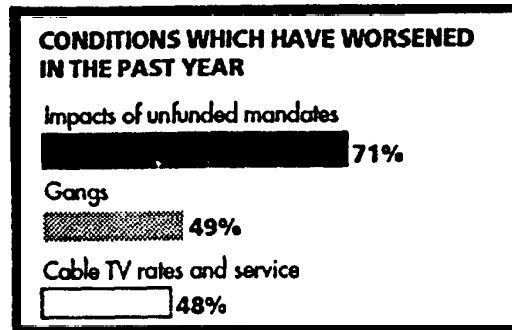
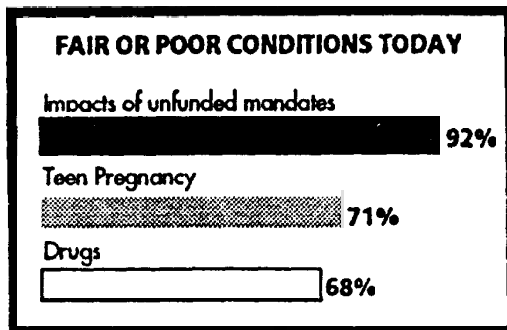
Every dollar we spend to comply with an irrational or irresponsible mandate is one less dollar we can devote to fighting crime and violence in our communities.

The outcry heard throughout the nation last year on "National Unfunded Mandates Day" was a beginning. In Congress, more than 30 bills have been proposed to offer some relief. We support these bills. We urge immediate action on them. And we will keep up the fight until these mandates stop.

This year we are calling for National Unfunded Mandates Week, October 24-30, 1994. This year, even more communities will join in a unified message: *enough is enough*.

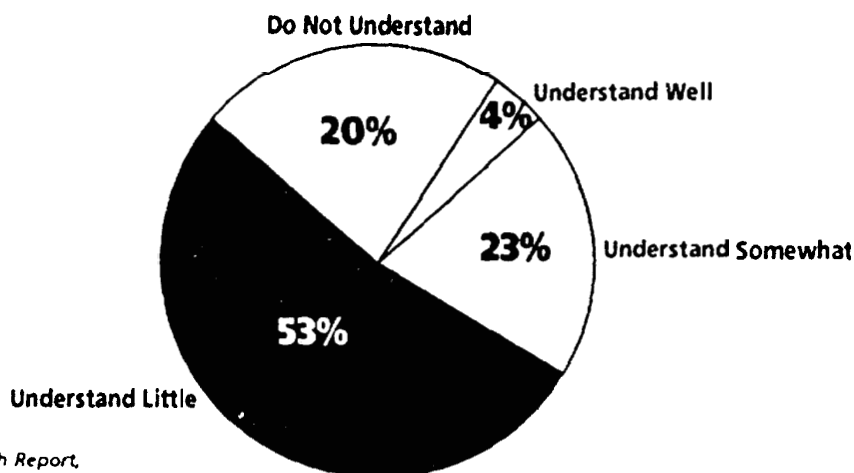
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# City Officials Understand the Impact of Unfunded Mandates...



Source: NLC Research Report,  
"The State of America's Cities," 1994

## But Public Comprehension of the Issue Remains Low



Source: NLC Research Report,  
"The State of America's Cities," 1994

# A PRIMER ON MANDATES

Adapted from "Mandates: Keeping Citizens Aware," by Janet M. Kelly; *An Issues and Opinions* report by the National League of Cities

Of all the issues that engage local government officials, none is more contentious than mandates. Mandates go to the heart of what governing is all about—autonomy and money. Local officials recognize the need for the policies that ensure basic and equal protection for all citizens and are willing to help implement those policies. In return, they generally ask for two things. The first is the ability to implement the policy consistent with local needs and conditions, and the second is financial assistance to fund the requirement.

Unfunded mandates place additional burdens on already fiscally stressed local governments. They have also strained the intergovernmental relationship, making innovative partnership approaches to providing services and paying for them simultaneously more necessary and more difficult.

## What Is a Mandate?

The two most broadly used definitions are based on either cost or penalty. Cost-based definitions begin with some variation of the theme "any statute or rule requiring a local expenditure of funds or restricting local revenue rates or bases...."

A weakness of a simple cost-based definition is that it reduces important arguments about mandates to money. When the definition is cost-based, discussions will center on whether or not the mandate has a cost and what that cost will be. This is especially troublesome as many mandates require localities to use their existing resources differently or more intensively. Because of the proliferation of mandates, local governments bear very high cumulative costs but very low marginal costs. A cost-based definition might not recognize the burden of these mandates at all.

An alternative approach is a penalty-based definition. Rather than ask "will it cost money?" a penalty-based definition asks "must I comply?" The latter is much easier to answer decisively than the former. This test for the mandate is whether the locality can legally resist it.

For instance, some would argue that if a law impacts the private sector as well as local governments, it cannot be considered a mandate. A penalty-based definition settles that argument in short order. The only disadvantage is that a definition based on penalty tends to reveal the volume of existing mandates, some of which are not important to the local government. However, there is a strong argument to be made that if you aggregate all the "little" mandates their cost would approach if not exceed the cost of the few "big" mandates.

## So What?

Is this whole issue, as some contend, really all about money? Well, yes and no. Money spent on compliance with federal mandates is money that cannot be spent on local priorities. So cost is a central issue, but it is opportunity cost displacement caused by the mandate that chafes—the preclusion of spending the money on programs or services valued by the local constituency. If local priorities were equivalent to federally mandated priorities, money spent on compliance with mandates would not be contested. In fact, localities willingly accept responsibility for programs and services when there is popular support for them at the local level. So the mandates issue is more accurately about different priorities and the foregone opportunities they create.

However, the fiscal implications are enormous. There is the loss of local tax dollars that might have been applied to other more pressing and popular uses. There are mandates that limit the ways in which localities raise revenue, putting some potentially lucrative and relatively pain free taxes off limits. These revenue exclusions and exemptions have the effect of forcing more intensive use of the much hated property tax.

Another serious and often ignored fiscal consequence of mandates is that of loss of flexibility. When mandates are procedural—telling the locality not what to do, but how to do it—it should not come as a surprise that Congress or federal agencies are not the best judge of how to run the business of local government. Some local governments call this "mandated inefficiency."

—the preclusion by law or rule from taking the most efficient path toward the service or program goal. Not surprising, the administrative routines mandated for a city of 500,000 may not be as workable for a city of 500. Even seemingly innocuous procedural mandates have their consequences. One law requires a social service agency to keep a copy of certain records. A copy is defined by statute in such a way as to prevent the use of computer records or microfiche, alternatives far less expensive than the maintenance of paper copies.

Finally, and most critically, the biggest "so what" of mandates is the loss of responsiveness in local government toward its citizens. Local governments have consistently been shown to be more responsive to citizen preferences for taxes and services than the federal government. Poll respondents are far more likely to say that their local government is more responsive to their needs and is more open to their input than federal government. Local officials often point out that they see their constituents on the street, dine with them, worship with them, and hear about problems daily. Governing, for these elected officials, is about the ability to respond to constituent demands or at least to engage constituents with conflicting goals in negotiation and compromise. When mandates preclude the use of local resources toward the essential function of government, local government loses the trust and the confidence of its people.

All that having been said, it is critical to note that mandates are a necessary part of intergovernmental relations. No locality should have the right to pollute the environment, deny adequate education to children, deny benefits to eligible residents, deny due process and voting rights to citizens, or operate a justice system that is not in conformance with other localities. Mandates are a necessary means by which to achieve these goals and are both the right and the obligation of Congress. However, the proliferation of mandates has also made it clear that local governments are being saddled with an ever expanding load of rules and requirements whose cost over time is enormous.

## MANDATES GLOSSARY

<b>Mandate Type</b>	<b>Meaning</b>	<b>Example</b>
Vertical	Applies to one program or activity	Discharge standards for wastewater treatment plant effluents
Horizontal	Applies to many or all programs or activities	Compliance with provisions of Americans with Disabilities Act (ADA)
Legislative	Enacted by Congress	Most federal mandates fall into this category
Administrative or Regulatory	Imposed by agencies empowered to make rules	Clean air, water and landfill regulations. They are often "passed through" from federal to state to local
Judicial	Imposed by the courts	The Garcia decision - compensatory time may not be substituted for hours worked beyond normal
Constitutional	Contained or based on the Constitution	Commerce Clause precludes local regulation of truck sizes and weights
Active	Requires the recipient unit to do something	Testing for broad range of drinking water contaminants
Restrictive	Prevents the recipient unit from doing something	Volume cap on Industrial Development Bonds; restrictive definition of eligibility for public purpose municipal bonds
Traditional	Not in law, but custom (presumed enforceable)	Providing police security for visiting government officials
Direct Order	Locality is subject to penalty for noncompliance	Fines and sanctions for noncompliance with ADA requirements
Condition of Aid*	In order to receive a benefit, must comply	Require lead paint testing and abatement in local housing plans to receive federal housing and community development assistance
Programmatic	Require provision of a program, its quantity or quality	Locally administered food stamp program requirements
Procedural	Set forth how a unit implements a program	Corrosion control (lead abatement) procedures for drinking water distribution systems

\* Because conditions of aid may be resisted without penalty, they would not be considered a mandate under a penalty-based definition.

# Calculating the Costs of Mandates \*

In considering how to calculate the costs of unfunded mandates, it is important to remember that this is a process that is tied to your budget. Some cities use their budget meetings as an opportunity to identify new state and federal mandates and the impact on the budget, they are able to communicate with the public in real dollars and sense, the costs that are beyond the control of city officials. Others use their utility bills to communicate the portion of costs attributable to state or federal mandates.

## Types of Costs

Costs can usually be grouped into four categories when analyzing mandates; (1) marginal, (2) opportunity, (3) total and (4) cumulative costs.

- (1) **Marginal Costs** are incremental costs and require no formula. For example, a city can look at an average day for city personnel and estimate what portion of their time will change to comply with the mandate and assign a cost to that change.

**Example:** John Jones works in the public works department and works an eight hour day. A new regulation will require him to devote an estimated time of one hour per day or 12.5% of his time to carry out the new regulations, so 12.5% of his time could be assigned to the mandate. This can be part of the normal budget process although you can never prove a marginal cost.

- (2) **Opportunity Costs** represents actions or laws that restrict or diminish the revenue raising capacity of the city, such as additional tax exemptions or the state restricting the amount of business license fees a city can levy.
- (3) **Total Costs** are directed to new programs or activity. For instance, in calculating the costs associated with opening a new building, one would need to consider the total costs to open the building after construction. How much for electricity? How much for insurance? How much for overtime if it is open after hours? etc.
- (4) **Cumulative Costs** are presented in numerical values with examples given. It's not the one mandate that breaks the back of the city but the cumulative effect of the other twenty, plus the new one. It is the cumulative impact not the individual one when considering this category.

Defining what constitutes a mandate is almost as difficult as calculating the cost of the mandate. The broadest definition of a mandate is any action on the part of any unit of the state or federal governments that inhibits the decision-making ability of any unit of local government. The difficulty with such a definition is that may be applied to almost any conceivable situation which renders it not very useful.

Calculating the costs of unfunded state and federal mandates on cities and towns will never be an exact science. The dilemma facing those calculating unfunded costs are several, including:

- (1) Not all local governments agree on what constitutes a mandate;
- (2) Some local governments believe that "selective" enforcement of mandates exists;
- (3) Mandates affect local governments differently. In one city a particular mandate may be simply a nuisance; in another it may present a true hardship;
- (4) The ability to assess adequately the costs associated with mandates varies, due to staffing resources available to a local government;
- (5) Some mandates are requested by local governments;
- (6) Some local government officials believe that responsible local governments would self-impose standards or requirements to assure public safety and welfare of the citizens anyway;
- (7) Many mandates are "pass through" mandates from the federal level to the state government level, making it difficult and often judgmental as to where to assign the mandate.
- (8) In virtually every local government, there is no historical financial data for mandate tracking.

City government has nearly always had functions mandated upon them by the state and federal government through standards, requirements, tax limits, exemptions, rules and regulations. These "mandates" require local government to undertake certain actions or prohibit them from taking certain actions.

**\*Our thanks to the Georgia Municipal League and the City of Columbus, Ohio for their work on developing material used in this section.**

## Identifying the Costs

These factors below are the minimum factors to be used in calculating mandated costs. Obviously, a more complex approach can be used but to establish a good base of financial information, the following should be sufficient.

### DEFINITIONS

- (1) **Personnel - Wages** City dollars paid in connection of the city's full-time, part-time, or temporary work force for wages including over-time and stand by time. Cities should include fringe benefit costs in their estimates (social security, insurance, retirement, workers compensation etc.) here or in administrative cost, but not both.
- (2) **Supplies** - Any item acquired or used for specific mandates (includes, chemicals, books and subscriptions, tools, and uniforms, vehicle and machine parts, and computer software.).
- (3) **Contractual and Professional Service** - Professional (consultant and contractual services) includes: consulting engineers and other consultants, auditors and surveyors, geologists, archaeologists, etc.
- (4) **Debt Service** - For a specific mandate, bond principal and interest payments, and lease/purchase payments. (For example, to construct or modify a water treatment plant to comply with State or EPA regulations).
- (5) **Equipment** - Equipment and equipment maintenance required to be purchased, leased or rented or required to be modified to comply with the mandate. (Vehicles, computer hardware, furniture and fixtures, and communication equipment.
- (6) **Training and Travel** - required for a specific mandate:
  - (a) registration fees
  - (b) travel
  - (c) food
  - (d) lodging
  - (e) transportation
  - (f) training materials (including video and audio tapes)
- (7) **Administrative and overhead costs** - total administrative costs to comply with a mandate.
  - (a) office supplies
  - (b) photocopy expense
  - (c) telephone
  - (d) utilities

- (e) postage
- (f) printing
- (g) reporting
- (h) legal notices and reports required by state/federal agencies
- (i) permit fees
- (j) special audit costs
- (k) advertising
- (l) dues
- (m) insurance and bonds
- (n) building/space leasing
- (o) court costs
- (p) fringe benefit costs (if not included under Personnel above).



**Example: How To Calculate  
The Costs of Mandates**

City of: \_\_\_\_\_

Fiscal Year: \_\_\_\_\_

Fund: \_\_\_\_\_

Department: \_\_\_\_\_

Mandate: \_\_\_\_\_

Person Completing Form: \_\_\_\_\_

Date Form Completed: \_\_\_\_\_

Date Form Received: \_\_\_\_\_  
by Administration

1. **Personnel: Wages & Salary:** # of hrs. x rate = personnel
- |                         |            |
|-------------------------|------------|
| Jeff Jones: 64 x 6.25   | 400.00     |
| Bob Thomas : 380 x 6.25 | 2,375.00   |
| Total                   | \$2,775.00 |

(Note: Some cities may want to include fringe benefits in this category.)

2. **Supplies:** Units x Purchase Price                      Supply Cost
- |                                  |          |
|----------------------------------|----------|
| 50 gal. of chemicals @ 18.95 gal | 947.50   |
| 1 riding lawn mower @ 1649.95    | 1,649.95 |
| Total supply costs               | 2,597.45 |
3. **Contractual and Professional Services:** Contracted Cost for consulting engineer
- |                                 |             |
|---------------------------------|-------------|
| (200 billable hours @ 60.00 hr) | \$12,000.00 |
|---------------------------------|-------------|
4. **Debt Service:** Total of all applicable bond payments  
(principal and interest) for current fiscal  
year for mandate.
- |  |             |
|--|-------------|
|  | \$25,000.00 |
|--|-------------|

5.	Equipment: Purchase price of required equipment for mandate.	
	Total Equipment Costs	\$11,000.00
6.	Training and Travel: Required absence from work to attend mandated training.	
	John Jones to attend certification training:	
	(A) registration fee	\$250.00
	(B) travel 340mi @ .25 mi	85.00
	(C) food 4 meals @ \$15	60.00
	(D) lodging 2 nights @ \$65	130.00
	(E) overtime	N/A
	(F) travel (airline, taxi bus etc.)	N/A
	(G) training materials	N/A
	(includes videos & audio tapes)	
	Total Training Costs	\$525.00
7.	Administrative and Overhead Costs:	
	(A) office supplies - paper	\$100.00
	(B) photocopy expense	125.00
	(C) telephone	50.00
	(D) utilities	
	(1)water	25.00
	(2)gas (heat)	50.00
	(3)electricity	50.00
	(E) postage	75.00
	(F) publishing	
	[Audit @ 2.5 a copy (40 copies)]	100.00
	legal notices	150.00
	(G) rent (900 annual 1/12)	75.00
	Total Administrative Costs	800.00
	Total costs for mandate	
	(add totals of 1 through 7)	\$54,697.45

**MANDATE COST DETERMINATION WORKSHEET  
FOR MARGINAL AND TOTAL TYPE COSTS**

Costs Associated With (Regulation): \_\_\_\_\_

City \_\_\_\_\_

Individual Completing Form \_\_\_\_\_

Title \_\_\_\_\_

Phone Number \_\_\_\_\_

**Cost Variables**

(1)	Personnel	1993	1994	1995	1996	1997
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
(2)	Supplies					
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
(3)	Contractual & Professional Services					
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
(4)	Debt Service					
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

**Cost Variables**

(5)	Equipment	1993	1994	1995	1996	1997
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
(6)	Training & Travel					
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
(7)	Administrative/ Overhead					
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	Annual Total	_____	_____	_____	_____	_____

**Total Annual Costs 1993-1997**

Personnel \_\_\_\_\_

Training and Travel \_\_\_\_\_

Supplies \_\_\_\_\_

Services \_\_\_\_\_

Debt Service \_\_\_\_\_

Operating Equipment \_\_\_\_\_

Administration  
and Overhead \_\_\_\_\_

Grand Total 5 years \_\_\_\_\_

## How to Calculate Mandated Costs On a City Tax Bill

- (1) Add up all of the mandated costs attributable to the state that are paid out of the city's General Fund.
- (2) Calculate what percentage the state mandated costs are of the total General Fund expense.
- (3) Multiply the percentage in step number (2) by the total tax bill and subtract this number from the total bill. This will give you the state costs.
- (4) Repeat steps 1 through 3 for federal costs.
- (5) Local cost will equal the sum of the tax bill minus the state and federal costs.

## How to Calculate Mandated Costs On a City Utility Bill

*To calculate the costs of a utility bill, simply use the same method of calculation.*

- (1) Add up all of the mandated costs to the utility funds (water & sewer, gas, electric, sanitation, etc.).
- (2) Calculate what percentage the state mandated costs are of the total utility fund expense.
- (3) Multiply the percentage in step number (2) by the total utility bill and subtract this number from the total utility bill. This will give you the state costs.
- (4) Repeat steps 1 through 3 for federal costs.
- (5) Local costs will equal the sum of the utility bill minus the state and federal costs.

### Example: How to Calculate a City Tax Bill

Total City Tax Bill	213.11
Total General Fund Expenditures	4,100,600.00
Total State Costs (Mandates)	672,900.00
% of State Costs (Mandates)	16.4%
Total State Costs (Mandates) $.164 \times 213.11$	\$34.95

Total Federal Costs (Mandates)	356,100.00
% of Federal Costs (Mandates)	8.7%
Total Federal Costs (Mandates) $.087 \times 213.11$	18.54

Total Local Costs	\$213.11
minus State Mandated Costs	\$34.95
minus Federal Mandated Costs	\$18.54
Local Costs Without Mandates	\$159.62

City of LaGrange, Georgia

P.O. Box 430, 30241

Real Estate Tax

To:

Account No.

Address

Ellis C. Johns

17285

900 Houston St.

LaGrange, GA 30240

Market Value:

40.0 percent of

assessed value

Homeslead Exemption

Net Assessment

Total City Tax

\$131,070

\$52,428

-\$2,000

\$50,428

\$548.92\*

\*Breakdown of tax bill includes:

Local costs

New State Costs

New Federal Costs

Total

\$537.95

\$6.89

\$4.08

\$548.92

State and Federal costs are beyond the control of your mayor and council. To discuss these costs, please call your state senator and representative, and your U.S. senators and representative.

City of LaGrange, Georgia

P.O. Box 430, 30241

Utility Bill

To:

Account No.

Address

Ellis C. Johns

17285

900 Houston St.

LaGrange, GA 30240

Meter Readings Shown To Nearest Tenth

Description	Meter Readings		Consumption	Amount
	Previous	Present		
Balance				

Sanitation

5.00

Water & Sewer

16.00

Gas

9.00

Total

30.00

Previous Balance

\$43.90

Less Payment

-\$43.90

Amount Due

\$30.00\*

\*Breakdown of utility bill includes:

Local costs

\$21.00

New State Costs

\$5.55

New Federal Costs

\$8.45

State and Federal costs are beyond the control of your mayor and council. To discuss these costs, please call your state senator and representative, and your U.S. senators and representative.